

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILL OUT THE MOTION FOR TEMPORARY ORDERS WHILE YOU WAIT FOR YOUR DIVORCE, LEGAL SEPARATION OR ANNULMENT ORDER

USE THIS PACKET: Either the Petitioner or the Respondent can file a *“Motion for Temporary Orders”* while you wait for the a divorce, legal separation, or annulment. You cannot file for temporary orders unless a case for divorce, legal separation, or annulment has already been filed or you will file a case at the same time you request temporary orders. Here are the instructions to ask the Court for **TEMPORARY** orders. Be sure to choose the packet for temporary orders **WITH CHILDREN**, or **WITHOUT CHILDREN**, depending on your situation.

FILL OUT THE COURT FORMS FOR THE TEMPORARY ORDERS: First, decide if you are filing for a divorce, legal separation or annulment **WITH CHILDREN** or **WITHOUT CHILDREN**, **unless the other party has already filed for divorce, legal separation or annulment**. Then, fill out all the forms for the Temporary Orders and in **black ink** as follows:

1. ALL TEMPORARY ORDERS CASES INVOLVING DIVORCE, LEGAL SEPARATION, ANNULMENT:

MOTION FOR TEMPORARY ORDERS. Write in the case number assigned to your case, if you have already filed for divorce, annulment or legal separation. If you have not already filed a case, the Clerk of the Court will stamp a number on your papers when you file them. Decide what you want the temporary orders for, and check those boxes in the upper right-hand corner of the page. Then complete the whole Motion. List the names and dates of birth of the children whom this Motion affects. Check the boxes that apply to what you are asking the court to grant. If you are asking for a temporary division of property, the Judge/Commissioner can only grant exclusive use and possession of the property and usually limits this to the house and/or cars. If you are asking for a temporary division of the debt, be sure to list debt carefully. You must sign the Motion under oath, which means you need to sign in front of a Notary Public or the Clerk of the Court.

AFFIDAVIT OF FINANCIAL INFORMATION. This document tells the court what your current financial situation is. Make a copy of this document **before** you fill it out because you will need a blank copy for the packets listed in the next document called: *“Procedures: What to do after you have filled out the Motion and Court Papers for Temporary Orders.”*

COPY OF FAMILY COURT DEPARTMENT NOTICES: There are two separate one-page notices that tell you and the other party what the court expects from both of you at and before the court hearing.

ORDER TO APPEAR: This is the document the Judge’s staff will complete to set the hearing for the temporary orders. Complete the top part of the *“Order to Appear”* with your name and address, the names of the parties, and the case number. Leave the rest blank for the Judge to fill out.

TEMPORARY ORDER: This is the document the judge will sign after your court hearing. Complete the top part of the Temporary Order with your name and address, the names of the parties, and the case number. Leave the rest blank for the Judge to fill out. The Temporary Orders are not valid until signed and dated by the Judge after the court hearing.

IF YOUR CASE INVOLVES CHILDREN:

PARENT'S CHILD SUPPORT WORKSHEET, ORDER OF ASSIGNMENT and PARENTING PLAN. You only need to fill out these documents if your case involves children. If you filed a divorce, legal separation or annulment **with children** and need temporary orders about the children, you should read the ***"Child Support Guidelines,"*** and the Instructions to help you complete the Worksheet and ***"Order of Assignment"***. Make a copy of the ***"Parent's Child Support Worksheet"*** **before** you fill it out because you will need a blank copy for the packets listed in the next document called: ***"Procedures: What to do after you have filled out the Motion and Court Papers for Temporary Orders."*** Fill out the ***"Parenting Plan"*** and attach it to the Temporary Order you want the Judge to sign.

IF YOUR CASE INVOLVES CHILD and/or SPOUSAL MAINTENANCE/SUPPORT:

JUDGMENT DATA SHEET. You only need to fill out this document if your case involves children and/or spousal maintenance/support. This document is for the Clerk of the Court. You are not required to send a copy of it to the other party. If your address is protected do not send it to the other party. Follow the instructions included in this packet to help you fill it out.